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Attorney for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

LONE STAR WEAPONS	§	
ACADEMY L.L.C., dba SHEEP	§	
DOG MARKET	§	
Plaintiff,	§	Case No. 4:15-cv-191-Y
	§	
v.	§	
	§	
QUINTAL INT'L, INC.	§	
Defendant.	§	

PLAINTIFFS' MOTION TO CERTIFY CLASS ACTION

Relief Sought

1. Plaintiffs move this court for an order certifying the instant case as a class action under Federal Rule of Civil Procedure Rule 23(c)(1)(A) so that this proceeding may be maintained as a class action, with plaintiff Lone Star Weapons Academy L.L.C. ("as the class representative, acting on behalf of plaintiffs and all other persons similarly situated, namely, all who have been contacted by defendant Quintal International, Inc.

with respect to claims against it for dishonest trademark infringement and anti-trust claims.

2. Plaintiffs also requests that the court's order appoint Warren V. Norred as class counsel as required by Fed. R. Civ. P. 23(g).

3. Plaintiffs further move the Court for an order:

a. Authorizing an "appropriate" notice of the maintenance of this class action be given to class members pursuant to Rule 23(c)(2)(A) of the Federal Rules of Civil Procedure.

b. Authorizing such notice to be by means of mail to last known address or to known email addresses when approved by the individual class members who have authorized such communications.

Grounds for Relief

4. Federal Rule of Civil Procedure 23(c)(1)(A) governs the certification of a case as a class action and the appointment of counsel for a class.

5. The claims set out below are proper for certification as a class action under the following provisions of Rules 23:

1) Rule 23(b)(1)(A) - prosecuting separate actions by or against individual class members would create a risk of inconsistent or

varying adjudications with respect to individual class members that would establish incompatible standards of conduct for the party opposing the class;

- 2) Rule 23(b)(1)(B) - prosecuting separate actions by or against individual class members would create a risk of adjudications with respect to individual class members that, as a practical matter, would be dispositive of the interests of the other members not parties to the individual adjudications or would substantially impair or impede their ability to protect their interests;
- 3) Rule 23(b)(2) - the party opposing the class has acted or refused to act on grounds that apply generally to the class, so that final injunctive relief or corresponding declaratory relief is appropriate respecting the class as a whole;
- 4) Rule 23(b)(3) - the court finds that the questions of law or fact common to class members predominate over any questions affecting only individual members, and that a class action is superior to other available methods for fairly and efficiently adjudicating the controversy. The matters pertinent to these findings include.

Record on Motion

6. This motion is based on this document and the concurrently filed Memorandum of Points and Authorities, and all other papers and records on file in this action, together with whatever evidence and argument is produced at the hearing on this motion. In addition, the facts in support of the motion are established in the Affidavit of Warren V. Norred attached to the Memorandum of Points and Authorities.

Respectfully submitted this December 7, 2015,

/s/ Warren V. Norred

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Attorney for Plaintiffs

CERTIFICATE OF SERVICE - I certify that a true and correct copy of the attached Motion to Certify the Class, together with all attachments, exhibits, and supporting papers, were served on the attorneys of record for parties and those asking for notice by the Court's electronic filing system on December 7, 2015:

/s/ Warren V. Norred

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CERTIFICATE OF CONFERENCE - I certify that on December 6, 2015, I sent a draft of this document to Ryan Beard, attorney of record for the Quintal International LLC, who indicated to me that me opposed this motion.

/s/ Warren V. Norred

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